JC950 U.S. PTO
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CONTINUING PATENT APPLICATION TRANSMITTAL

(for Continuing Applications
under 37 C.F.R. §1.53(b))

JC914 U.S. PTO
09/709772
11/08/00

Attorney Docket No. 11748/9

Total Pages:
First Named Inventor or
Application Identifier: Gladwin

Box PATENT APPLICATION
Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R. §1.53(b) for filing a:

() Continuation application,

() Divisional application,

(X) Continuation-in-Part application,

of pending prior application number 09/649,981,

filed on August 29, 2000 (Date) of Stephen Christopher Gladwin, Depeng Bi, Jeffrey Jonathan Spurgat and (Inventor(s))

Michael Cortopassi

for Structure and Method for Selecting, Controlling and Sending Internet-Based or Local Digital Audio to an AM/FM Radio or Analog Amplifier
(Title)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit November 10, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Molly M. Michaels
(Typed or printed name of person mailing)

Molly M. Michaels
(Signature of person mailing)

1. () This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

(X) Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

(X) 34 pages of the specification (including claims).

(X) 35 sheets of drawings () Formal (X) Informal.

2. (X) Amend the specification by inserting before the first line the sentence: --This is a [] continuation, [] division, [X] continuation-in-part, of prior application number 09/649,981, filed August 29, 2000, which is hereby incorporated herein by reference in its entirety.-- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part of the disclosure of the accompanying application, and is hereby incorporated by reference therein.

A1

3. () A copy of the executed oath or declaration filed in the prior nonprovisional application is enclosed.

4. (X) Inventorship:

() A newly-executed oath or declaration and power of attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d)(5) and (e)).

() Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

(X) The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).

5. () Assignment(s) of the invention to _____, and cover sheet are enclosed.

() A check in the amount of $_____ to cover the fee for recording the assignment(s) is enclosed.

6. () The prior application is assigned of record to

7. (X) Small Entity Status is claimed under 37 C.F.R. §1.27.

8. () A 37 C.F.R. §3.73(b) statement is enclosed (where an assignee seeks to take action in a matter before the Patent Office).

9. () A preliminary amendment is enclosed.

10. (X) Drawings:

() Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by §1.138 and before payment of base issue fee.)

() New formal drawings are enclosed.

(X) Informal drawings are enclosed.

11. () A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

12. () An Information Disclosure Statement is enclosed.

() A Form PTO-1449 is enclosed.

() ___ References (copies) listed on the Form PTO-1449 are enclosed.

13. () A MicroFiche Computer Program (Appendix) is enclosed.

14. (X) A Return Receipt Postcard is enclosed (MPEP §503).

15. () A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

() A Computer Readable Copy is enclosed.

() A Paper Copy (Identical to Computer Copy) is enclosed.

() A Statement Verifying Identity of above Copies is enclosed.

16. () Priority of application number_____filed on _____in _____is claimed under 35 U.S.C. §119.

() The certified copy of the priority document has been filed in prior application number _/_____, filed _____.

() A certified copy of the priority document is enclosed.

17. (X) Power of Attorney:

(X) The power of attorney in the prior application is to:
John S. Paniaguas Reg. No. 31,051,
KATTEN MUCHIN ZAVIS
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
and other members of the firm.

(X) The power appears in the original papers in the prior application.

() Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

18. () Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

19. (X) The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Canceled by Amendment

(a) Basic Fee								$ 710.00
(b) Independent Claims	1	-	3	=	0	x	$80.00 =	$ -0-
(c) Total Claims	1	-	20	=	0	x	$18.00 =	$ -0-
(d) Fee for Multiple Dependent Claims							$270.00 =	$ _____
Total Filing Fee								$ 710.00
Reduction by 50% for Filing Small Entity								$ 355.00
Total								$355.00

20. (X) A check in the amount of $ 355.00 is enclosed.

21. (X) The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. §§1.16 and 1.17 and are not paid herewith, or credit any overpayment, to Deposit Account Number 50-1214. A duplicate copy of this request is enclosed.

22. () Also enclosed:

23. (X) Address all future communications to:

John S. Paniaguas
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
Telephone: (312) 902-5312
Facsimile: (312) 577-4532

11-10-00
(Date)

John S Paniaguas
John S. Paniaguas
Registration No. 31,051
(X) Attorney or agent of record
() Filed under §1.34(a)

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